S.B. CR.MISC.BAIL APPLICATION NO.2131/2007.
Idrish and anr. Vs. State
Date of order : 11/4/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri M.Iqbal Khan for the petitioners.
Shri S.N. Gupta P.P. for the State.

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Heard learned counsel for the petitioner, learned Public Prosecutor for the State and perused the case diary.

Learned counsel for the petitioners argued that allegations against the petitioners are omnibus in nature and no specific overt has been assigned to them inasmuch and kind of injuries sustained by the injured do not make out a case falling under Section 326 IPC, which too has been added later during the course of investigation. Specific allegations have been attributed to other accused Jamun, Yasin, Sahun and Asgar where large number of other persons including the petitioners have been enrobbed falsely. The petitioners were arrested on 26/3/2007 and since then they are in jail.

Learned Public Prosecutor has opposed the bail application.

Without expressing any opinion on the merits of this case but taking into consideration the facts and circumstances of the case, the nature of allegation and evidence against the petitioners and the fact that the petitioners are in confinement since 26/3/2007, I deem it appropriate to enlarge the petitioners on bail during the pendency of trial.

In the result, this bail application u/S.439 Cr.P.C. is allowed and it is directed that petitioners Idrish S/o Sallu Khan and Rashid S/o Shitab shall be released on bail in F.I.R. No.88/2007 P.S. Tizara, Distt.Alwar subject to their furnishing a personal bond in the sum of Rs.20,000/- together with two sureties in the sum of Rs.10,000/- each to the satisfaction of the trial Court for their appearance before that court on all dates of hearing until conclusion of the trial.

(MOHAMMAD RAFIQ), J.

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